

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

THIS DOCUMENT RELATES TO:
All Actions

MDL No. 2419
Master Docket No.: 1:13-md-2419-RWZ

Honorable Rya W. Zobel

PROPOSED MDL ORDER NO 11

This Order is intended to provide a reasonable timetable for ushering the following six cases to trial and supplements and replaces the current schedule outlined in MDL Order No. 9 (Dkt. No. 1425) only as to the following six cases.

The six cases to be tried in a single trial on the date identified below are as follows:

1. *Reed v. Ameridose*, et al, 1:13-cv-12565
2. *Rybinski v. Ameridose*, et al, 1:13-cv-12818
3. *Ziegler v. Ameridose*, et al, 1:13-cv-12588
4. *McElwee v. Ameridose*, et al, 1:13-cv-12625
5. *Wray v. Ameridose*, et al, 1:13-cv-12737
6. *Sullivan v. Ameridose*, et al, 1:13-cv-12781

The proposed schedule, set against the current schedule created by MDL Order No. 9 is as follows:

	MDL Order No. 9 Schedule	New Trial Schedule
Deadline for Saint Thomas defendants to inform Court of position on <i>Lexicon</i>	N/A	May 1, 2015
Close of Fact Discovery	June 15, 2015	June 15, 2015
Initial Expert Disclosures	July 15, 2015	July 1, 2015
Rebuttal Expert Disclosures	August 14, 2015	August 1, 2015
Deadline For Expert Depositions	October 13, 2015	September 1, 2015
Dispositive Motions and <i>Daubert</i> Motions	August 14, 2015	September 15, 2015
Oppositions to Dispositive Motions and <i>Daubert</i> Motions	September 13, 2015	September 30, 2015
Replies in Support of Dispositive Motions and <i>Daubert</i> Motions	October 13, 2015	October 7, 2015
Hearing on Dispositive Motions and <i>Daubert</i> Motions	N/A	Late October 2015
Final Pre-Trial Hearing	N/A	November 15, 2015
Trial	N/A	December 4, 2015

This Order shall govern only the cases identified above. Defendants in those cases shall be permitted to serve case-specific requests as follows:

1. 20 Requests for Admission
2. 10 Interrogatories
3. 20 Requests for Production

All other deadlines and holdings in MDL Order No. 9 remain in full force and effect except as expressly modified for the six trial cases as stated herein.

So Ordered

/s/ Rya W. Zobel

Rya W. Zobel

United States District Court Judge